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U.S. DISTRICT COURT E.D.N.Y.

COURT EXHIBIT
JURY NOTE

★ MAR 03 2010 ★

#3
3/3/2010
Verdict Sheet

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Robertson v. Matthew Sullivan, Niles Prince and Dimitri Deglas
07 CV 1416 (JG)

Claim 1: Unlawful Seizure

Did the Defendants prove by a preponderance of the evidence that they had reasonable suspicion to stop Mr. Robertson?

Yes _____ No ✓

Claim 2: False Arrest

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that he was falsely arrested on April 14-15, 2006?

As to Matthew Sullivan?

Yes ✓ No _____

As to Niles Prince?

Yes ✓ No _____

As to Dimitri Deglas?

Yes ✓ No _____

In the event you find that Mr. Robertson has failed to prove by a preponderance of the evidence that he was falsely arrested, would your verdict have changed if the burden to prove the existence of probable cause was on the defendants?

As to Matthew Sullivan?

Yes _____ No _____

As to Niles Prince?

Yes _____ No _____

As to Dimitri Deglas?

Yes _____ No _____

Claim 3: Excessive Force

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that excessive force was used against him on April 14-15, 2006?

As to Matthew Sullivan?

Yes ✓ No

As to Niles Prince?

Yes ✓ No

As to Dimitri Deglas?

Yes ✓ No

Claim 4: Battery

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that he was battered on April 14-15, 2006?

As to Matthew Sullivan?

Yes ✓ No

As to Niles Prince?

Yes ✓ No

As to Dimitri Deglas?

Yes ✓ No

Claim 5: Malicious Prosecution

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that a criminal proceeding was initiated against him?

As to Matthew Sullivan?

Yes ✓ No

As to Niles Prince?

Yes ✓ No

As to Dimitri Deglas?

Yes ✓ No

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that there was an absence of probable cause for the proceeding?

Yes ✓ No

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that one or more of the defendants acted with malice in commencing the proceeding against him?

As to Matthew Sullivan?

Yes ✓ No

As to Niles Prince?

Yes ✓ No

As to Dimitri Deglas?

Yes ✓ No

Did Plaintiff Dwayne Robertson prove by a preponderance of the evidence that, as a result of this prosecution, he was deprived of his liberty after his arraignment?

Yes ✓ No

Damages

Note: Only consider damages if you find that the plaintiff has proven at least one of his claims against at least one of the defendants. (The malicious prosecution claim should be considered proven by you if the plaintiff has proven the first three elements, even if he has failed to prove a post-arraignment deprivation of liberty.)

What amount of damages has plaintiff proven by a preponderance of the evidence?

\$ 5,000

Are punitive damages appropriate in this case? If so, in what amount?

\$ 50,000

Dated: Brooklyn, New York
March 3, 2010

William P. Cook
Foreperson